

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

Andrew Perrong

Plaintiff(s)

v.

Civil Action No. 18-cv-1382

Macy's Inc., Department Stores National Bank, FDS  
Bank and Macy's Credit and Customer Services, Inc.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Department Stores National Bank  
701 East 60th Street  
Sioux Falls, South Dakota 57104

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Clayton S. Morrow, Esq  
304 Ross Street, 7<sup>th</sup> Floor  
Pittsburgh, PA 15219

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 4/4/2018

  
Signature of Clerk or Deputy Clerk

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Civil Action No. 18-cv-1382

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Department Stores National Bank  
 was received by me on (date) 4/20/18.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Theresa Muth - Legal Dept. Specialist, who is  
 designated by law to accept service of process on behalf of (name of organization) Department Stores National Bank  
701 E. 60th St. North, Sioux Falls, SD 57104 on (date) 4/23/18 @ 8:49AM; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: 4/23/18



Server's signature

Richard Rober

Process Server

Printed name and title

2522 W. 41<sup>st</sup> St. #213 Sioux Falls, SD 57105  
 Server's address

Additional information regarding attempted service, etc:



Andrew Perrong,  
Vs.  
Macy's Inc., et al.

Plaintiff(s)  
Defendant(s)

Service of Process by:  
**Action Process Serving 1-605-360-2881**  
2522 W. 41<sup>st</sup> St., #213  
Sioux Falls, SD 57105

Jon B. Fougner, Esq.  
600 California St., 11<sup>th</sup> Floor  
San Francisco, CA 94108

### Affidavit of Service

Service of Process on:  
Department Stores National Bank  
Civ. 18-cv-1382

State of South Dakota )

:ss

County of Minnehaha )

Name of Server: **Richard Rober**, undersigned, being duly sworn, deposes and states that at the time of service; he was over the age of eighteen, was not a party to this action and is an Elector in the State of South Dakota;

Date/Time of Service: 4/23/18 @ 8:49 AM

Place of Service: 701 E. 60<sup>th</sup> St. North, Sioux Falls, SD 57104

Documents Served: The undersigned served the Documents described as:

Summons; Complaint; Civil Cover Sheet; Instructions for Attorneys Completing Civil Cover Sheet Form JS 44; Civil Cover Sheet Form JS-44 Attachment; Case Management Track Designation Form; Designation Form; Notice of Initial Pretrial Conference; Checklist for Rule 26(f) Meet and Confer Regarding Electronically Stored Information ("ESI"); Template and Expectations for Joint Report of Rule 26(f) Meeting and Proposed Discovery Plan; Notice to Counsel Scheduling and Discovery Policy; Checklist for Rule 26(f) Meet and Confer Regarding Electronically Stored Information ("ESI"); and Template and Expectations for Joint Report of Rule 26(f) Meeting and Proposed Discovery Plan

Service of Process on: A true and correct copy of the aforesaid document(s) was served by Hand Delivery upon:

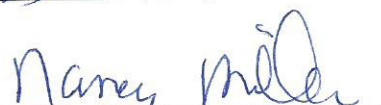
### Department Stores National Bank

Service was made by Serving Theresa Muth as the Legal Dept. Specialist, who is authorized to accept service.

Undersigned declares under penalty of Perjury  
that the foregoing is true and correct.

  
\_\_\_\_\_  
Signature of Server

Subscribed and Sworn to before me this  
23 Day of April 2018

  
\_\_\_\_\_  
Notary Public (Commission Expires)

